

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

MONTRELL HOLMES,

Plaintiff,

v.

ROGER WALKER, et al.,

Defendants.

No. 09-0047-DRH

ORDER

HERNDON, Chief Judge:

Pending before the Court is Holmes' pro se motion to reconsider denial of plaintiff's motion for appointment of counsel (Doc. 14). On July 27, 2009, the Court denied Holmes' request for appointment of counsel finding that "there is no indication at all whether Holmes has attempted to obtain counsel or been effectively precluded from doing so. Therefore, his motion for appointment of counsel is **DENIED**, without prejudice." (Doc. 12, p. 5). Holmes now moves the Court to reconsider its Order stating that he has no legal training, that he has tried to obtain counsel and that he cannot adequately represent himself. The issues in the litigation are sufficiently complicated and the Plaintiff wholly unqualified, based on the Court's examination of his pleadings thus far, to pursue this litigation. Pursuant to **Pruitt v. Mote, 503 F.3d 647 (7th Cir. 2007)**, Holmes, who has demonstrated that he made a diligent effort to obtain counsel to represent himself, to no avail, should be appointed counsel and, therefore, the Court **GRANTS** the motion.

The Court **APPOINTS** Mr. John E. Thies of the law firm of Webber & Thies, 202 Lincoln Square, P.O. Box 189, Urbana, Illinois 61803, (217) 367-1126, to represent Holmes in this case only. Appointed counsel should comply with the undersigned's final pretrial conference procedures found online at <http://www.ilsd.uscourts.gov/herndonpretrial.html>. Appointed counsel is also advised that pursuant to the Plan for the Administration of the District Court Fund, out-of-pocket expenses up to the sum of \$1000.00 may be requested and authorized for reimbursement. In light of the appointment of counsel, the Court advises Holmes that he may not, in the future, file any pleadings pro se in this matter. All further pleadings should be filed and signed by appointed counsel.

IT IS SO ORDERED.

Signed this 6th day of August, 2009.

/s/ David R. Herndon
Chief Judge
United States District Court